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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	19	Attorney Docket Number	021630-004500US
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ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard Cited References 0399-0503
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP Nena Bains	Reg. No. 47,400
Signature		
Date	September 3, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Landon Clark		
Signature		Date	September 3, 2004

SEP 07 2004

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PATENT

Attorney Docket No.: 021630-004500US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On 9-3-04

TOWNSEND and TOWNSEND and CLEW LLP
By: Landon Clark

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert G. Whirley, et al.

Application No.: 10/769,532

Filed: January 30, 2004

For: INFLATABLE POROUS
IMPLANTS AND METHODS FOR
DRUG DELIVERY

Examiner: Unassigned

Art Unit: 3738

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A-B are being called to the attention of the Examiner. Copies of references 0398-0503 are enclosed. In accordance with the USPTO waiver of the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications filed after June 30, 2003, applicant has not submitted copies of references 0001-0397. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

WHIRLEY, ROBERT G. et al.
Application No.: 10/769,532
Page 2

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Nena Bains
Reg. No. 47,400

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NB/lc
60263196 v1



Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	16	Attorney Docket Number	021630-004500US
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Complete if Known

Application Number	10/769,532
Filing Date	January 30, 2004
First Named Inventor	Whirley, Robert G.
Art Unit	3738
Examiner Name	Unassigned

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	0001	US-3,540,431	11-17-1970	K. Uddin	
	0002	US-3,631,854	01-04-1972	R. Fryer	
	0003	US-3,818,511	06-25-1974	Goldberg et al.	
	0004	US-3,900,027	08-19-1975	C. Keedwell	
	0005	US-3,902,198	09-02-1975	Rathjen	
	0006	US-3,991,767	11-16-1976	Miller, Jr. et al.	
	0007	US-4,140,126	02-20-1979	Choudhury	
	0008	US-4,183,102	01-15-1980	Guiset	
	0009	US-4,187,390	02-05-1980	Gore	
	0010	US-4,208,745	06-24-1980	Okita	
	0011	US-4,459,252	07-10-1984	MacGregor	
	0012	US-4,474,630	10-02-1984	Planck et al.	
	0013	US-4,497,074	02-05-1985	Rey et al.	
	0014	US-4,550,447	11-05-1985	Seiler, Jr. et al.	
	0015	US-4,552,707	11-12-1985	How	
	0016	US-4,562,596	01-07-1986	Komberg	
	0017	US-4,580,568	04-08-1986	C. Gianturco	
	0018	US-4,592,754	06-03-1986	Gupte et al.	
	0019	US-4,617,932	10-21-1986	Komberg	
	0020	US-4,647,416	03-03-1987	Seiler, Jr. et al.	
	0021	US-4,665,906	05-19-1987	Jervis	
	0022	US-4,705,517	11-10-1987	DiPisa, Jr.	
	0023	US-4,739,762	04-26-1988	J. Palmaz	
	0024	US-4,776,337	10-11-1988	J. Palmaz	
	0025	US-4,787,899	11-29-1988	Lazarus	
	0026	US-4,816,028	03-28-1989	Kapadia et al.	
	0027	US-4,941,870	07-17-1990	Okada et al.	
	0028	US-4,955,899	09-11-1990	L. Coma, et al.	
	0029	US-4,957,669	09-18-1990	Primm	
	0030	US-5,100,422	03-31-1992	Berguer et al.	
	0031	US-5,104,399	04-14-1992	Lazarus	
	0032	US-5,104,400	04-14-1992	Berguer et al.	
	0033	US-5,108,424	04-28-1992	Hoffman, Jr. et al.	
	0034	US-5,122,154	06-16-1992	V. Rhodes	
	0035	US-5,123,917	06-23-1992	P. Lee	
	0036	US-5,151,105	09-29-1992	Kwan-Gett	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO				Complete If Known	
				<i>Application Number</i>	10/769,532
				<i>Filing Date</i>	January 30, 2004
				<i>First Named Inventor</i>	Whirley, Robert G.
				<i>Art Unit</i>	3738
				<i>Examiner Name</i>	Unassigned
Sheet	2	of	16	<i>Attorney Docket Number</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>					

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	0037	US-5,158,620	10-20-1992	Pigott	
	0038	US-5,161,105	11-03-1992	Kwan-Gett	
	0039	US-5,166,620	11-24-1992	Pigott	
	0040	US-5,207,695	05-04-1993	Trout, III	
	0041	US-5,219,355	06-15-1993	Parodi et al.	
	0042	US-5,275,622	01-04-1994	Lazarus et al.	
	0043	US-5,282,847	02-01-1994	Trescony et al.	
	0044	US-5,316,023	05-31-1994	Palmaž et al.	
	0045	US-5,330,528	07-19-1994	Lazim	
	0046	US-5,354,310	10-11-1994	Garnic et al.	
	0047	US-5,360,443	11-01-1994	Barone et al.	
	0048	US-5,366,504	11-22-1994	Andersen et al.	
	0049	US-5,370,682	12-06-1994	Schmitt	
	0050	US-5,370,691	12-06-1994	Samson	
	0051	US-5,383,928	01-24-1995	Scott et al.	
	0052	US-5,387,235	02-07-1995	Chuter	
	0053	US-5,397,345	03-14-1995	Lazarus et al.	
	0054	US-5,405,379	04-11-1995	Lane	
	0055	US-5,411,550	05-02-1995	S. Herweck, et al.	
	0056	US-5,411,550	05-02-1995	Herweck et al.	
	0057	US-5,423,851	06-13-1995	Samuels	
	0058	US-5,443,458	08-22-1995	Eury	
	0059	US-5,456,713	10-10-1995	Chuter	
	0060	US-5,464,419	11-07-1995	Glastra	
	0061	US-5,464,449	11-07-1995	Ryan et al.	
	0062	US-5,489,295	02-06-1996	Piplani et al.	
	0063	US-5,507,769	04-16-1996	Marin et al.	
	0064	US-5,507,770	04-16-1996	Turk	
	0065	US-5,522,880	06-04-1996	Barone et al.	
	0066	US-5,527,353	06-18-1996	P. Schmitt	
	0067	US-5,527,355	06-18-1996	Ahn	
	0068	US-5,529,653	06-25-1996	Glastra	
	0069	US-5,534,024	07-09-1996	Rogers et al.	
	0070	US-5,536,274	07-16-1996	Neuss	
	0071	US-5,554,180	09-10-1996	Turk	
	0072	US-5,562,724	10-08-1996	Vorwerk et al.	

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				First Named Inventor	Whirley, Robert G.
				Art Unit	3738
				Examiner Name	Unassigned
Sheet	3	of	16	Attorney Docket Number	021630-004500US

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	0073	US-5,562,726	10-08-1996	Chuter	
	0074	US-5,562,728	10-08-1996	Lazarus et al.	
	0075	US-5,571,079	11-05-1996	G. Bello, et al.	
	0076	US-5,571,173	11-05-1996	J. Parodi	
	0077	US-5,575,817	11-19-1996	Martin	
	0078	US-5,578,071	11-26-1996	Parodi	
	0079	US-5,578,072	11-26-1996	Barone et al.	
	0080	US-5,591,229	01-07-1997	J. Parodi	
	0081	US-5,607,468	03-04-1997	Rogers et al.	
	0082	US-5,607,478	03-04-1997	Lentz et al.	
	0083	US-5,609,624	03-11-1997	Kalis	
	0084	US-5,609,625	03-11-1997	A. Piplani, et al.	
	0085	US-5,609,628	03-11-1997	Keranen	
	0086	US-5,609,629	03-11-1997	Fearnott et al.	
	0087	US-5,628,783	05-13-1997	Quiachon et al.	
	0088	US-5,628,786	05-13-1997	C. Banas, et al.	
	0089	US-5,628,788	05-13-1997	Pinchuk	
	0090	US-5,632,772	05-27-1997	R. Alcime, et al.	
	0091	US-5,632,840	05-27-1997	Campbell	
	0092	US-5,653,746	08-05-1997	Schmitt	
	0093	US-5,662,700	09-02-1997	Lazarus	
	0094	US-5,665,115	06-06-1997	Cragg	
	0095	US-5,665,117	09-09-1997	Rhodes	
	0096	US-5,667,523	09-16-1997	Bynon et al.	
	0097	US-5,669,936	09-23-1997	Lazarus	
	0098	US-5,676,671	10-14-1997	Inoue	
	0099	US-5,676,696	10-14-1997	Marcade	
	0100	US-5,676,697	10-14-1997	McDonald	
	0101	US-5,683,449	11-04-1997	Marcade	
	0102	US-5,683,451	11-04-1997	J. Lenker, et al.	
	0103	US-5,683,453	11-04-1997	Palma	
	0104	US-5,693,084	12-02-1997	Chuter	
	0105	US-5,693,087	12-02-1997	Parodi	
	0106	US-5,693,088	12-02-1997	H. Lazarus	
	0107	US-5,697,968	12-16-1997	Rogers et al.	
	0108	US-5,700,285	12-23-1997	D. Myers, et al.	

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	0109	US-5,707,378	01-13-1998	Ahn et al.	
	0110	US-5,709,701	01-20-1998	Parodi	
	0111	US-5,709,703	01-20-1998	Lukie et al.	
	0112	US-5,713,917	02-03-1998	H. Leonhardt, et al.	
	0113	US-5,716,395	02-10-1998	D. Myers, et al.	
	0114	US-5,718,159	02-17-1998	Thompson	
	0115	US-5,718,973	02-17-1998	Lewis et al.	
	0116	US-5,720,776	02-24-1998	Chuter et al.	
	0117	US-5,723,004	03-03-1998	J. Dereume, et al.	
	0118	US-5,733,325	03-31-1998	Robinson et al.	
	0119	US-5,735,892	04-07-1998	D. Myers, et al.	
	0120	US-5,747,128	05-05-1998	Campbell et al.	
	0121	US-5,749,880	05-12-1998	Banas et al.	
	0122	US-5,749,920	05-12-1998	D. Quiachon, et al.	
	0123	US-5,769,887	06-23-1998	Brown et al.	
	0124	US-5,785,679	07-28-1998	Abolfathi et al.	
	0125	US-5,788,626	08-04-1998	Thompson	
	0126	US-5,789,047	08-04-1998	F. Sasaki, et al.	
	0127	US-5,800,512	09-01-1998	Lentz et al.	
	0128	US-5,800,518	09-01-1998	Piplani et al.	
	0129	US-5,824,039	10-20-1998	A. Piplani, et al.	
	0130	US-5,824,044	10-20-1998	D. Quiachon, et al.	
	0131	US-5,827,320	10-27-1998	Richter et al.	
	0132	US-5,843,069	10-01-1998	Butler et al.	
	0133	US-5,843,158	12-01-1998	Lenker et al.	
	0134	US-5,843,160	12-01-1998	Rhodes	
	0135	US-5,843,164	12-01-1998	J. Frantzen, et al.	
	0136	US-5,843,167	12-01-1998	Dwyer et al.	
	0137	US-5,843,170	12-01-1998	Ahn	
	0138	US-5,855,598	01-05-1999	L. Pinchuk	
	0139	US-5,871,536	02-16-1999	Lazarus	
	0140	US-5,871,537	02-16-1999	Holman et al.	
	0141	US-5,906,641	05-25-1999	P. Thompson, et al.	
	0142	US-5,926,650	07-20-1999	Suzuki et al.	
	0143	US-5,961,545	10-05-1999	D. Lentz, et al.	
	0144	US-5,961,546	10-05-1999	Robinson et al.	

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	0145	US-5,968,090	10-19-1999	Ratcliff et al.	
	0146	US-5,972,027	10-26-1999	Johnson	
	0147	US-5,972,441	10-26-1999	C. Campbell, et al.	
	0148	US-5,976,179	11-02-1999	Inoue	
	0149	US-5,976,650	11-02-1999	Campbell et al.	
	0150	US-5,984,956	11-16-1999	Tweden et al.	
	0151	US-5,989,287	11-23-1999	J. Yang, et al.	
	0152	US-5,993,481	11-30-1999	Marcade et al.	
	0153	US-5,997,573	12-07-1999	R. Quijano, et al.	
	0154	US-6,001,123	12-14-1999	L. Lau	
	0155	US-6,004,346	12-21-1999	Wolff et al.	
	0156	US-6,004,347	12-21-1999	McNamara et al.	
	0157	US-6,004,348	12-21-1999	C. Banas, et al.	
	0158	US-6,007,575	12-28-1999	Samuels	
	0159	US-6,015,429	01-18-2000	L. Lau, et al.	
	0160	US-6,015,431	01-18-2000	Thornton et al.	
	0161	US-6,017,364	01-25-2000	H. Lazarus	
	0162	US-6,019,787	02-01-2000	T. Richard, et al.	
	0163	US-6,025,044	02-15-2000	Campbell et al.	
	0164	US-6,027,811	02-22-2000	Campbell et al.	
	0165	US-6,030,415	02-29-2000	T. Chuter	
	0166	US-6,036,702	03-14-2000	T. Bachinski, et al.	
	0167	US-6,036,723	03-14-2000	Anidjar et al.	
	0168	US-6,039,755	03-21-2000	T. Edwin, et al.	
	0169	US-6,042,605	03-28-2000	G. Martin, et al.	
	0170	US-6,051,020	04-18-2000	G. Goicoechea, et al.	
	0171	US-6,053,943	04-25-2000	Edwin et al.	
	0172	US-6,059,823	05-09-2000	Holman et al.	
	0173	US-6,063,114	05-16-2000	Nash et al.	
	0174	US-6,077,296	06-20-2000	M. Shokohi, et al.	
	0175	US-6,090,128	07-18-2000	M. Douglas	
	0176	US-6,096,070	08-01-2000	Ragheb et al.	
	0177	US-6,098,630	08-08-2000	Papazoglou	
	0178	US-6,102,938	08-15-2000	Evans et al.	
	0179	US-6,102,940	08-15-2000	Robichon et al.	
	0180	US-6,110,198	08-29-2000	Fogarty et al.	

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60263196 v1

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	0181	US-6,124,523	09-26-2000	Banas et al.
	0182	US-6,126,685	10-03-2000	Lenker et al.
	0183	US-6,129,756	10-10-2000	C. Kugler, et al.
	0184	US-6,132,459	10-17-2000	Piplani et al.
	0185	US-6,139,572	10-31-2000	C. Campbell, et al.
	0186	US-6,143,015	11-07-2000	Nobles
	0187	US-6,146,416	11-14-2000	E. Andersen, et al.
	0188	US-6,149,665	11-21-2000	S. Gabbay
	0189	US-6,149,682	11-21-2000	Frid
	0190	US-6,152,956	11-28-2000	Pierce
	0191	US-6,153,292	11-28-2000	Bell et al.
	0192	US-6,156,063	12-05-2000	Douglas
	0193	US-6,159,239	12-12-2000	E. S. Greenhalgh
	0194	US-6,159,565	12-12-2000	C. Campbell, et al.
	0195	US-6,162,245	12-19-2000	S. Jayaraman
	0196	US-6,162,246	12-19-2000	H. Barone
	0197	US-6,165,210	12-26-2000	L. Lau, et al.
	0198	US-6,165,211	12-26-2000	Thompson
	0199	US-6,165,212	12-26-2000	Dereume et al.
	0200	US-6,165,213	12-26-2000	Goicoechea et al.
	0201	US-6,165,214	12-26-2000	Lazarus
	0202	US-6,183,504	02-06-2001	Inoue
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Substitute for form 1449B/PTO			Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT						
(use as many sheets as necessary)						
Sheet	7	of			16	
					Examiner Name	Unassigned
					Attorney Docket Number	021630-004500US

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	0253	US-6,406,489	06-18-2002	J. Richter, et al.

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Substitute for form 1449B/PTO				Complete if Known	
				Application Number	10/769,532
				Filing Date	January 30, 2004
				First Named Inventor	Whirley, Robert G.
				Art Unit	3738
				Examiner Name	Unassigned
Sheet	8	of	16	Attorney Docket Number	021630-004500US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	0254	US-6,409,716	06-25-2002	Sahatjian et al.	
	0255	US-6,409,756	06-25-2002	E. Murphy	
	0256	US-6,409,757	06-25-2002	H. Trout, et al.	
	0257	US-6,413,270	07-02-2002	T. Thornton, et al.	
	0258	US-6,423,089	07-23-2002	P. Gingras, et al.	
	0259	US-6,423,090	07-23-2002	D. Hancock	
	0260	US-6,428,506	08-06-2002	M. Simhambhatla, et al.	
	0261	US-6,428,565	08-06-2002	W. Wisselink	
	0262	US-6,432,131	08-13-2002	A. Ravenscroft	
	0263	US-6,432,132	08-13-2002	R. Cottone, et al.	
	0264	US-6,436,133	08-20-2002	J. Furst, et al.	
	0265	US-6,440,165	08-27-2002	J. Richter, et al.	
	0266	US-6,443,981	09-09-2002	W. Colone, et al.	
	0267	US-6,451,050	09-17-2002	L. Rudakov, et al.	
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				Filing Date	January 30, 2004
				First Named Inventor	Whirley, Robert G.
				Art Unit	3738
				Examiner Name	Unassigned
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				Filing Date	January 30, 2004
				First Named Inventor	Whirley, Robert G.
				Art Unit	3738
				Examiner Name	Unassigned
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U.S. PATENT DOCUMENTS+					
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	0392	US-2003/0074058 A1	04-17-2003	Sherry	
	0393	US-2003/0093145 A1	05-15-2003	M. Brown, et al.	
	0394	US-2003/0097174 A1	05-22-2003	J. Henderson	
	0395	US-2003/0125797 A1	07-03-2003	Chobotov et al.	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/769,532
Filing Date	January 30, 2004
First Named Inventor	Whirley, Robert G.
Art Unit	3738
Examiner Name	Unassigned

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	0400	EP	0 473 694	B1	12-13-1995	Impra, Inc.
	0401	EP	0 480 667	A1	04-15-1992	Cook Incorporated
	0402	EP	0 617 930	A1	05-10-1994	Industrial Research B.V.
	0403	EP	0 646 151	A1	04-05-1995	W. L.. Gore & Associates
	0404	EP	0 646 365	A1	04-05-1995	J. Parodi
	0405	EP	0 689 806	A2	01-03-1996	Meadox Medicals, Inc.
	0406	EP	0 747 069	B1	08-09-1990	W. L. Gore & Associates
	0407	EP	0 775 472	A3	05-28-1997	Schneider, Inc.
	0408	EP	0 808 140	B1	12-12-2001	C. Timothy
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	0413	EP	1 093 772	A2	04-25-2001	Boston Scientific Limited
	0414	EP	1 121 945	A1	12-23-1992	W. L. Gore & Associates
	0415	EP	1 148 843	B1	04-16-2003	R. Layne, et al.
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	0421	WO	90/14055		04-13-1995	Emory University
	0422	WO	92/22604	A1	05-04-1995	Numed, Inc.
	0423	WO	95/03754		6-22-1995	William Cook Europe A/S
	0424	WO	95/09585		08-15-1996	Cook Incorporated
	0425	WO	95/09586		09-19-1996	Impra, Inc.
	0426	WO	95/11720		03-06-1997	C. Banas et al.
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Application Number	10/769,532
Filing Date	January 30, 2004
First Named Inventor	Whirley, Robert G.
Art Unit	3738
Examiner Name	Unassigned
Attorney Docket Number	021630-004500US

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Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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Sheet	16	of	16	Attorney Docket Number	021630-004500US

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